

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RANVIR YADAV, VEENA YADAV, PRIYANKA
YADAV, SIDHARTH YADAV, DISHARTH
AULUWALIA, and DEEPAK SETH

Civil No. 11-cv-1500

Plaintiffs

Judge John Koeltl

v.
RAJEEV ("ROGER") PUNJ, ET. ALS

Defendants

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**DECLARATION IN SUPPORT OF DEFENDANT RAJEEV "ROGER" PUNJ'S MOTION TO
STAY ANSWER AND DISCOVERY PROCEEDINGS**

Scott K. Turner, pursuant to 28 U.S.C. § 1746, hereby declares and says:

1. I am an attorney and counsellor at law licensed to practice in the State of New York, and a member of the Bar of this Court.
2. I am counsel to Defendant Rajeev "Roger" Punj and am fully familiar with the facts of this cast and the circumstances set forth below.
3. I submit this declaration pursuant to Fed. R. Civ. P. 4(e)(1), in support of Defendant's Motion to Stay Answer and Discovery Proceedings.
4. On May 13, 2011, Defendant Punj, by and through his attorney, expressed his desire to answer the complaint.
5. On May 16, 2011, an indictment pending against Defendant Punj was unsealed in Suffolk County, N.Y. Defendant Punj pled "not guilty" to the charge and is preparing his defense.
6. The nature, timing, and overlapping issues between this litigation and the indictment promises to undermine Defendant Punj's Fifth Amendment privilege against self incrimination and provide the prosecution with a window into his defense.

7. The Court's power to stay cases is part of its inherent authority "to control the disposition of the case on its docket with economy of time and effort for itself, for counsel, and for litigants."

Landis v. North American Co., 99 U.S. 248, 254, 57 S. Ct. 163, 166.

WHEREFORE, Defendant Punj respectfully requests an order to stay the answer and discovery proceedings pending the resolution of the criminal case.

I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Dated: New York, NY
May 26, 2011

/s/Scott K. Turner
Scott K. Turner, Esq.